

Commissioners:

Darryl Glenn (President)

mark Waller (President Pro Tempore)

Stan Vanderwerf

Longinos Gonzalez

Peggy Littleton

Planning and Community Development

Craig Dossey, executive Director

8/27/18

Classic Engineering and Consulting

Marc Whorton

mwhorton@classicconsulting.net

Dear Applicant and/or Consultant:

Subject: SF189 Paintbrush Hills Filing No 13E Review 1

 (a portion of a master plat exhibit)

**The purpose of this letter is to provide you with the review agency responses to the above named development application that have been received to-date by Planning and Community Development.**

**You are encouraged to directly contact those agencies that did provide review comments if the comments require additional action by the applicant/applicant’s representative. You are also encouraged to directly contact those agencies that did not provide review comments if such response is required by state statutes and the El Paso County Land Development Code.**

**EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**

**Current Planning**

Please see uploaded redlines in EDARP**.** Please not, the State has determined that water sufficiency cannot be made without causing injury with the docs that were provided. Staff requested updated water docs to be provided previously and that was not done by the applicant.

**Engineering Department**

**COLORADO STATE FOREST SERVICE**

The primary wildland fuel type for this proposal is grassland with scattered trees having a low wildfire hazard potential. No special fire mitigation plans or other actions are necessary for final approval by the Colorado State Forest Service.

**MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC.**

This area is within MVEA certificated service area. MVEA will continue to serve this area according to our extension policy. Connection requirements may include provisions for necessary line extensions and or other system improvements, and payment of all fees under MVEA line extension policy. Information concerning these requirements can be obtained by contacting the Engineering Department of MVEA.

Thank you for the utility easements of fifteen (15) foot front, ten (10) foot rear, five (5) foot side lot line and utilities listed in tracts. MVEA also requests platting of existing MVEA facilities with easement on the plat. Additional easements may be required once a review of civil drawings with grading and erosion plan is provided to MVEA in order to serve this subdivision.

MVEA has existing facilities near and within this parcel of land including transmission lines not belonging to MVEA. If there is any removal or relocation of facilities it will be at the expense of the applicant and a review of easements will be required in order to serve.

Mountain View will require that the owner or developer of this project coordinate with it and the El Paso County concerning the location of any roads or other public improvements that it constructs, including any offsite modifications to existing roads or other public improvements, in order that arrangements can be made, in advance of entering into any construction contracts affecting such facilities, to complete any necessary relocation of Mountain View facilities prior to construction of said improvements, all in accordance with Colorado law and Mountain View's published policies and Bylaws. Mountain View will not proceed to relocate any facilities until after such coordination is complete and Mountain View has been paid those relocation costs that are properly owed under its published policies and Bylaws and Colorado law.

If additional information is required, please contact our office at (719) 495-2283.

Cathy Hansen-Lee

Engineering Administrative Assistant

**ELPASO COUNTY ENVIRONMENTAL SERVICES**

The El Paso County Environmental Division has completed its review of the above referenced submittal. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

We have reviewed the submittal and have no comments at this time.

The applicant is hereby on notice that the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service have regulatory jurisdiction over wetland and threatened and endangered species issues, respectively. It is the applicant’s responsibility, and not El Paso County’s, to ensure compliance with all applicable county, state, and federal laws and regulations, including, but not limited to, the Clean Water Act, Endangered Species Act, Migratory Bird Treaty Act, Colorado Noxious Weed Act and El Paso County Weed Management Plan.

We appreciate the opportunity to comment on this project. If you have any questions or concerns, please contact me at (719) 520-7879.

**911 AUTHORITY-EL PASO /TELLER COUNTY**

The following names have been added to the reserved street naming list for the Paint Brush Hills Filing No 13E project:

ESN: 243 City: Falcon PSAP: EPSO Location: NW of Londonderry and South of Arrowgrass

Hillandale Way – previously approved

Wingfiel Way - approved

Keating Drive – an extension of and existing street approved

Devoncove Drive- previously approved

Asbee Street- an extension of and existing street approved

Beckham Street- previously approved

Bracknell Place- previously approved

Triborough Trail- previously approved

**ELPASO COUNTY ATTORNEY’S OFFICE**

Changes to SIA are attached. Please provide a Detention Maintenance Agreement if needed.

 **COLORADO DIVISION OF WATER RESOURCES**

We have received your July 31, 2018 submittal concerning the above-referenced proposal to subdivide 172.08 acres into 158 single-family units, streets, and private open areas.

Water Supply Demand

According to the submittal, the estimated water requirements of Paint Brush Hills Filing No. 13E are 56.8 acre-feet annually (approximately 0.36 acre-feet/year per lot for 158 single- family lots). The estimated demand equals 17,040 acre-feet over a period of 300 years.

Source of Water Supply

The proposed water supplier is the Paint Brush Hills Metropolitan District (PBHMD or District). The District provided a Will Serve Letter for 365 Single-Family Equivalent Units for Paint Brush Hills Filing No. 13C, 13D, and 13E for 131.4 acre-feet per year, dated June 24, 2016. Filing No. 13C has been platted for 135 lots, and Filing No. 13D has been platted for 97 lots. The proposed total number of lots with Filing No. 13E makes the total number of Single-Family Equivalent Units 390 lots, which is greater than the number of lots committed to by the District.

According to information in our files, the District has a volume of 98,050 acre-feet of Denver Basin water rights available for supplying its commitments, and its current commitments require a volume of 97,234 acre-feet of water (per El Paso County approval some commitments require a commitment period of 100 years and others require a commitment period of 300 years). A summary of the District’s available supplies and commitments are provided herewith. The District’s water rights are not sufficient to meet its estimated demand for the required commitment periods.

 State Engineer’s Office Opinion

Based upon the above and pursuant to Sections 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is not adequate and cannot be provided without causing injury to water rights. The Applicant must provide an updated Will Serve letter from the District to reflect its ability to serve the new number of lots. Additionally, the District also needs to submit new information proving it has adequate water to meet its current commitments, including serving the proposed Filing No. 13E.

Should you have any questions, please contact Neelha Mudigonda at neelha.mudigonda@state.co.us.

Sincerely,

cc: Upper Black Squirrel Creek GWMD NSM: Paintbrush Filing 13E\_Aug2018

Keith Vander Horst, P.E. Chief of Water Supply, Basins

**COLORADO PARKS AND WILDLIFE**

Colorado Parks and Wildlife (CPW) has reviewed the plans for the Paint Brush Hills Filing No. 13E in El Paso County. Colorado Parks and Wildlife (CPW) is in receipt of the above referenced permit application and is familiar with the site. Based both on the location and type of action that has been taken CPW anticipates that the impacts to the wildlife resource from this project would be negligible.

We appreciate being given the opportunity to comment. Please feel free to contact District Wildlife Manager, Aaron Berscheid, should you have any questions or require additional information at 719-439-9601 or via email at aaron.berscheid@state.co.us

Sincerely,

Frank McGee

Area Wildlife Manager

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Comments received from any of the non-responding agencies following the issuance of this letter will be forwarded to the applicant/applicant’s representative and will be available in EDARP for record keeping purposes.

**Due to the number of comments and necessary revisions to the plan(s) an additional detailed review will be necessary. Please address the comments as listed above. A detailed letter needs to accompany the revisions to allow for an expeditious re-review timeframe. The letter should include each comment listed above and, immediately thereafter, include a response from the applicant addressing the comment.**

**If any review agency has an issue that needs resolution or requires a revision, you will need to provide the necessary documents, drawings, etc., to the Planning and Community Development Department in the form of a resubmittal. The Planning and Community Development Department will then forward the resubmitted items directly to the appropriate review agency. If you have any questions pertaining to specific agency comments please contact the appropriate agency directly.**

**PLEASE NOTE: The application cannot be scheduled for public hearing until and unless a final response has been received by Planning and Community Development from those agencies that are required (pursuant to state statute and the El Paso County Land Development Code) to provide such response (i.e.- State Engineer’s Office, County Attorney’s Office, County Health Department, etc).**

In order to be considered for the BoCC hearing, all outstanding issues must be resolved. Please contact me if you would like to schedule a meeting with myself or the multi-disciplinary team.

When all the comments have been addressed and corrections made please upload the required documents as requested in EDARP.

If you have any questions feel free to contact me at 520-6306.

Best Regards,

Kari Parsons

El Paso County Planning and Community Development Department

cc: Gilbert La Force, Engineering

File: SF-18-9